

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER MICHAEL MALONEY,

Plaintiff,

v.

ALLSTATE INDEMNITY CO.,

Defendant.

No. 2:20-cv-2523-MCE-KJN

SCHEDULE FOR DISCOVERY DISPUTE

The court is in receipt of plaintiff's motion to compel production of documents, motion for sanctions, and motion for extension of the discovery deadlines. (ECF No. 29.) Given the fact of plaintiff's incarceration, the court now sets the following briefing schedule for these issues:

- Defendant shall file a response to plaintiff's motion by April 14, 2022.
- Plaintiff shall file a reply to defendant's response by April 28, 2022.
- Thereafter, plaintiff's motion will be taken under submission and resolved on the papers.

However, should the court require a hearing after reviewing the parties' responses, one will be scheduled.

The parties are to address the following issues in their filings:

1. The substance of plaintiff's motion to compel further answers to Request for Production of Documents No. 1, as described in plaintiff's motion. Each party shall include a general description of what has been produced to plaintiff so far, what documents have been


1 withheld, and the legal arguments supporting production or exclusion of any withheld
2 documents;

- 3 2. The specific conversations the parties have had in attempting to resolve this issue without
4 the need for court intervention (i.e. the parties meet and confer responsibilities);
5 3. Plaintiff's request for sanctions pursuant to Federal Rule of Civil Procedure 37(a)(5); and
6 4. Whether good cause exists to extend the discovery deadlines, either in full or for some
7 limited purpose.

8 The parties are reminded of their obligation to confer about discovery matters prior to
9 submission of any responses to the court. Should the parties reach an agreement over this
10 dispute, they shall file a joint statement indicating as much and requesting the motion deadlines
11 be vacated. Additionally, if the parties come to an agreement over an extension of the discovery
12 deadlines, the court will entertain a stipulation and proposed new dates.

13 Dated: March 31, 2022

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE